

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

CARMEN CARRILO BURGOS and  
LESLIE FONTANEZ

Plaintiffs

v.

PUERTO RICO ELECTRIC POWER  
AUTHORITY, et al.

Defendants

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Civil No. 98-1200

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SAN JUAN, P.R.

ORDER

In this case, defendants initially moved for dismissal pursuant to Colorado River Water Conservation Dist. v. United States, 424 U.S. 800 (1976) and its progeny (**Docket # 5**). We denied defendants' motion based on Quackenbush v. Allstate Ins. Co. 116 S. Ct. 1712, 1722-28 (1996), wherein the Supreme Court held that while district courts may stay an action for damages based on abstention principles, they may not dismiss the suit altogether (**Docket # 14**). Accordingly, defendants moved to stay (**Docket # 19**). On August 11, 1999, we granted defendants' motion and stayed this action "until a final decision disposing of plaintiffs' motion to voluntarily dismiss their Commonwealth suit issues" (**Docket # 29, at 11**).

Plaintiffs now move for reconsideration of our order to stay challenging our assessment of the factors applicable in the determination of whether to grant a stay under the

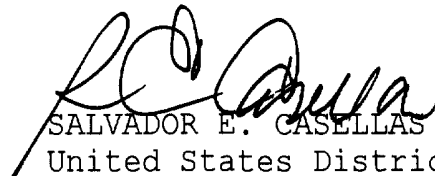
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Colorado River doctrine and its progeny (**Docket # 31**). We construe defendants' motion as made under Fed. R. Civ. P. 60(b). In essence, plaintiffs are asking us to change our mind over the correct application of the pertinent factors under the circumstances obtaining in this case. Plaintiffs' arguments, however, while vigorous, are not convincing. We see no reason to reject our ruling and, therefore, we reiterate it. Accordingly, defendants' motion for reconsideration (**Docket # 31**) is hereby **DENIED**.

SO ORDERED.

In San Juan, Puerto Rico, this 8<sup>TH</sup> day of November, 1999.

  
SALVADOR E. CASELLAS  
United States District Judge

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